GOVERNEMNT OF ANDHRA PRADESH
ABSTRACT

Public Services – Commercial Tax Department - APGST Act, 1957 – refund claim of M/s Esssar Projects Limited – Assessee on the rolls of the Commercial Tax Office, Kurupam Market Circle, Viskhapatnam Division, for an amount of Rs.96,14,390/- for the year 1994-95 and Rs.21,84,489/- for the year 1995-96 along with interest – Delay in granting refund to the dealer – Direction of the Hon'ble High Court of Andhra Pradesh to give interest of Rs.52,57,450/- for the delayed period – loss of Government money – Sri S. Jagabandu Swamy, the then Commercial Tax Officer (FAC), Kurupam Market Circle, Visakhapatnam responsible for the delay and consequent loss to the State Exchequer –Disciplinary action initiated under Rule 20 read with Rule 24 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 - Articles of charges – Issued.

REVENUE(VIGILANCE-II) DEPARTMENT

G.O.Rt.No.931 **Dated:30-08-2016.**

Read the following:-

1) From Commissioner Commercial Taxes, CCT's.No.V1/866/13, dated:04.05.2016
2) From Commissioner Commercial Taxes, CCT's No.V1/886/13, dated: 12.07.2016.
3) G.O.Rt..No.925, Rev(Vig.II) Dept, Dated.30.08.2016.

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ORDER:

It is proposed to hold an Inquiry against Sri S. Jagabandu Swamy, the then Commercial Tax Officer (FAC), Kurupam Market Circle, Visakhapatnam, presently working as Commercial Tax Officer, O/o the Commissioner of Commercial Taxes, Andhra Pradesh in accordance with the procedure laid down in Rule-20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2) The substance of the imputations of misconduct/misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed as Annexure-I. A statement of imputations of misbehaviour in support of the article is also enclosed as Annexure-II. A list of documents by which the articles of charges are proposed to be sustained is also enclosed in Annexure-III.

3) Sri S. Jagabandu Swamy, the then Commercial Tax Officer (FAC), Kurupam Market Circle, Visakhapatnam, presently working as Commercial Tax Officer, O/o the Commissioner of Commercial Taxes, Andhra Pradesh is directed to submit his explanation within fifteen (15) days from the date of this order i.e., written statement of his defense and to state whether he desires to be heard in person.

4) Sri S. Jagabandu Swamy, the then Commercial Tax Officer (FAC), Kurupam Market Circle, Visakhapatnam, presently working as Commercial Tax Officer, O/o the Commissioner of Commercial Taxes, Andhra Pradesh is informed that an inquiry will be held only in respect of those articles of charges which are not admitted, he should therefore specifically admit or deny each article of charge.

5) Sri S. Jagabandu Swamy, the then Commercial Tax Officer (FAC), Kurupam Market Circle, Visakhapatnam, presently working as CommercialTax Officer, O/o the Commissioner of Commercial Taxes, Andhra Pradesh is further informed that if he does not submit his written statement of defense on or before the time specified in para-3 above, further action will be initiated based on the material available.

6) Attention of Sri S. Jagabandu Swamy, the then Commercial Tax Officer (FAC), Kurupam Market Circle, Visakhapatnam, presently working as Commercial

Contd., 2

Tax Officer, O/o the Commissioner of Commercial Taxes, Andhra Pradesh is invited to Rule-24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government Servant shall bring or attempt, to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri S. Jagabandu Swamy, the then Commercial Tax Officer (FAC), Kurupam Market Circle, Visakhapatnam, presently working as Commercial Tax Officer, O/o the Commissioner of Commercial Taxes, Andhra Pradesh, is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7) The receipt of the order, may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAYA KALLAM
SPECIAL CHIEFSECRETARY TO GOVERNMENT

To
Sri S. Jagabandu Swamy, the then Commercial Tax Officer (FAC), Kurupam Market Circle, Visakhapatnam, presently working as Commercial Tax Officer, O/o the Commissioner of Commercial Taxes, Andhra Pradesh, Vijayawada. (Through Commissioner of Commercial Taxes, Andhra Pradesh, Vijayawada).

Copy to:

The Commissioner Commercial Taxes, Andhra Pradesh, Vijayawada.
The Deputy Commissioner (Commercial Tax), Visakhapatnam Division.
SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER